

REMARKS

Pending in this application are claims 55 – 63, 65 – 80, 82 – 85, 87, 90 – 96. Claims 46 – 53, 86, 88 and 89 have been canceled. Claims 1 – 45, 54, 64 and 81 were previously canceled.

New claims 92 – 95 mirror pending claims 49, 50 and 52 which depended from claims 46 which stood rejected under 35 USC §102(b). These claims were subject only to an obvious type double patentcy rejection.

New claim 96 mirrors previously claim 88. It has been rewritten to incorporate the limitations of claim 86 from which 88 depended. Claim 88 was only subject to an obviousness-type double patentcy rejection.

In the action, the examiner rejected the pending claims under the judicially created doctrine of Obviousness type double patentcy in view of pending application No. 10/084,602. Applicant hereby submits a terminal disclaimer limiting the term of any patent which may issue from the related application.

The examiner next rejected claims 53, 63, 70 and 80 under 35 USC §112 second paragraph as improperly defining the Markush group. Claim 53 has been canceled. Claims 63, 70 and 80 have been amended to read “group consisting of.” This amendment overcomes the rejection.

The examiner next rejected claims 46 – 48 and 51 under 35 USC §102(b) as anticipated by Finnan and/or Fujiwara. The claim has been canceled, rendering the rejection moot.

Likewise, the examiner’s rejection of claims 46 – 48, 51, 53 and 56 has been rendered moot and these claims have been canceled.

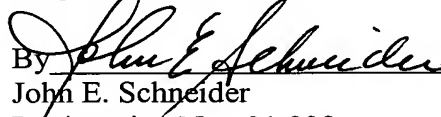
CONCLUSION

Applicant submits that the pending claims are free of the art and are in condition for allowance.

Applicant believes there is no fee due with this response. However, if fees are due, please charge our Deposit Account No. 06-2375, under Order No. P02917US1 from which the undersigned is authorized to draw.

Dated: July 12, 2005

Respectfully submitted,

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